

How USAID Safeguards Against Corruption Can Be Used by the Millennium Challenge Account

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Introduction

This paper reviews accountability techniques and methods used by USAID programs in different countries to protect foreign assistance funds from corruption and abuse. It focuses on antifraud mechanisms deemed successful by Agency staff who observed them firsthand. One of the best was used by the Hurricane Mitch Reconstruction Program in Honduras, under the congressional appropriation for the Central America and Caribbean Emergency Disaster Recovery Fund (CACEDRF). The lessons learned from the CACEDRF model are relevant to the proposed Millennium Challenge Account (MCA), though the MCA may include nonproject forms of assistance.

Certain types of assistance programs and mechanisms are more vulnerable to financial loss than others. Among the most vulnerable are those relating to rapid “ramp up” that is triggered by natural disasters or political crises. Large quantities of funds may be hurriedly programmed and spent without sufficient time and personnel to maintain adequate controls. Some experts have also noted a “voracity effect”: large increases in foreign assistance may increase corruption and rent-seeking behavior.¹ This finding is particularly pertinent to MCA because the program will be dispensing large quantities of foreign assistance in just a few countries.

USAID has developed an expertise and set of tools that protect development assistance funds.

These funds usually support projects: well-defined activities under a highly structured framework. Such

¹ Aaron Tornell and Philip Lane, “The Voracity Effect,” *American Economic Review*, 89 (March 1999), 22–46.

KEY IDEAS

- USAID has developed the expertise and tools that protect development assistance funds from fraud and abuse. Many can be applied to any development program. Without sufficient controls, project funds are just as vulnerable to corruption as nonproject funds.
- The Central America and the Caribbean Emergency Disaster Recovery Fund (CACEDRF) is a useful model. It included early risk assessment and assigned high priority to accountability, incorporating it into program design.
- An anticorruption strategy should be incorporated into country partnership agreements. These could include the creation of a supreme audit authority; transparent, government-wide procurement regulations; anticorruption public awareness programs; and commitments to international anticorruption agreements.
- Techniques that have proven their worth across the spectrum of USAID’s development programs may significantly reduce corruption in other U.S. Government-sponsored assistance programs, including the Millennium Challenge Account.



projects are closely monitored by USAID officers in the particular country. They are implemented through contracts, grants, or credits to recipient government agencies, private voluntary organizations, consulting companies, or other private sector institutions. This form of assistance is in contrast to the direct transfer of funds to cooperating country governments, whether through block grants, balance of payments assistance, or direct budget support.

Most of the USAID personnel interviewed for this paper believed that the direct transfer of funds to cooperating country governments is more vulnerable to fraud than is channeling funding through projects and implementing entities. However, vulnerability to corruption has as much to do with the procedures and controls USAID puts in place as it does with the funding mechanism of a particular program or project. Without sufficient controls, project funds are just as vulnerable to corruption as are nonproject funds.

An Accountability Success: The Central America and the Caribbean Emergency Disaster Recovery Fund (CACEDRF)

CACEDRF successfully protected program funds against corruption. The immediate impetus for the \$621 million supplemental congressional appropriation was Hurricane Mitch, which devastated Honduras in October of 1998. When the fund was established in May 1999, Honduras received almost half of the monies. Most of the remainder went to other countries affected by the hurricane—Nicaragua, Guatemala, and El Salvador. Some assistance also went to Haiti and Colombia. An informal agreement between Congress and USAID stipulated that the funds be spent by December 31, 2001.

The risk of corruption was high because of the program's large size, the requirement to meet urgent

needs, the December 2001 deadline, and weak internal control and law enforcement mechanisms in hurricane-affected countries.² Nevertheless, after more than two years of close monitoring, USAID's Office of the Inspector General (OIG) found only minor problems: these were mostly associated with mismanagement, not malfeasance. Over the duration of the program, questioned costs as a percentage of total audited costs fell from 7 to 2 percent (Figure 1). In USAID as a whole between 1998 and 2002, the percentage of total audits having questioned costs ranged between 25 and 32 percent.³

USAID management, OIG representatives, and the U.S. General Accounting Office (GAO) point to CACEDRF as a major success. The program saw the development and implementation of an accountability strategy that maintained the integrity of U.S. Government funds. As a result, the OIG applied the model to activities in Mozambique and Madagascar under the Southern Africa Flood Rehabilitation and Reconstruction Supplemental Appropriation (P.L. 106), and to activities in Central Asia, especially in Pakistan and Afghanistan. The model may be used again for reconstruction activities in Iraq.

Techniques and Methods that Safeguard Program Funds

The methods and techniques outlined and the recommendations below are provided to guide the development of an accountability strategy for a program or project.

1. Assess the Risk for Corruption or Mismanagement

A risk assessment looks at the institutional environment in which a proposed program will be implemented. The frequency of such assessments is

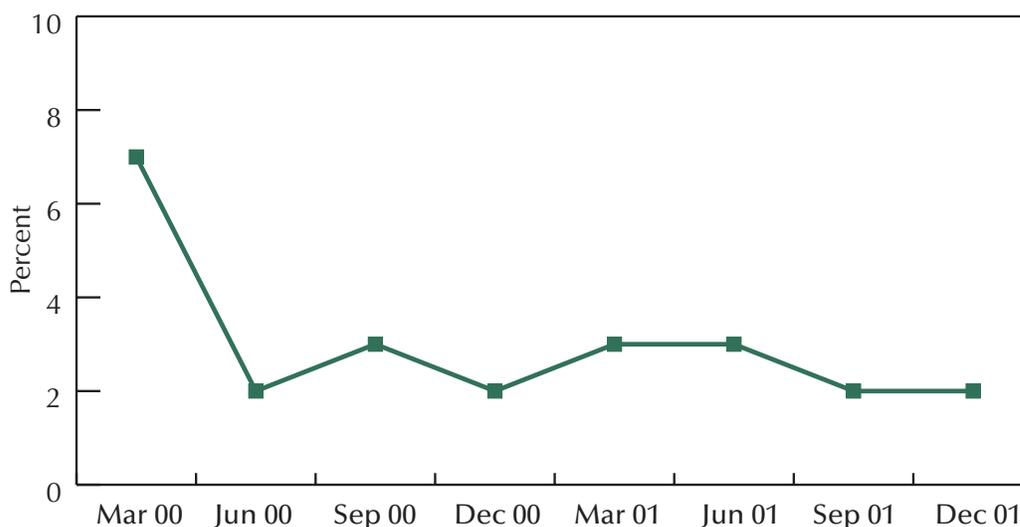
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² T.E. Cox, "An Ounce of Prevention: Oversight of Disaster Reconstruction Activities in Central America and the Caribbean," *Journal of Public Enquiry*, Fall/Winter 2003: 33–36 <www.ignet.gov/randp/f01c09.pdf>.

³ The OIG does not report the total amount of funds audited in its congressional presentations and annual reports.

Figure 1. Questioned Costs as a Percentage of Audited Costs
Final Audits of the CACEDRF Program



Source: Summary Report on Audits of USAID Assistance Provided Under the CACEDRF Supplemental Appropriation. USAID OIG. September 3, 2002

increasing with the Agency's recent emphasis on the importance of evaluating potential partners. In late 2001, the OIG's semiannual reports to Congress began systematically highlighting mission-level risk assessments.

In addition to risk assessments, USAID conducts preventive studies, such as pre-award accounting system surveys and capacity audits. Missions that manage large construction contracts, such as USAID Egypt, have also used preproject implementation conferences as tools to prevent corruption.

An early risk assessment is useful for identifying the level of risk for corruption. Such identification guides the types of controls that program managers could put in place. A USAID manager's guide to conducting risk assessments can be found on the USAID website.⁴ Risk assessments consider a number of relevant risk factors depending upon the particular circumstances in a country,

including

- the record of implementing partners
- the type of activity being financed
- the controls and implementation arrangements for each activity

The USAID program in Bosnia-Herzegovina made unusual use of a corruption risk assessment at the end of the war and the implementation of the 1995 Dayton Peace Accords, when USAID funding had rapidly increased. Governmental corruption was determined to be high, so the mission's assessment attempted to identify and neutralize the greatest source of graft. The assessment found that the Bosnian Payments Bureau, an official arm of government, was a financial clearinghouse for the Nationalist Party and the source of many illicit transactions. Worse, the bureau's dominance was hampering the emergence of a private banking sector. USAID succeeded in having the bureau eliminated.

⁴ See www.usaid.gov/pubs/ads/500/596saa.pdf. For a guide on using a broad range of diagnostic procedures to understand the specific nature and extent of corruption at the country level, see Phyllis Dininio, *Handbook on Using Corruption Assessments*. Washington, DC: Management Systems International, 2002.

- the amount of funds devoted to each activity
- the level of staff experience
- the degree of management support for financial controls

2. Give Top Priority to Accountability

Top USAID management support for accountability can go a long way toward avoiding future problems. Such support needs to be stated early and clearly, while program and project objectives are being developed. Otherwise, accountability concerns may lose out to the need to rapidly move aid funds.

Until relatively recently, accountability was not a clearly articulated upper management priority in USAID. Resolving accountability concerns was left to financial management personnel and auditors, often after problems were exposed. In recent years, however, missions are increasingly willing to support accountability and involve the OIG in program management.

USAID demonstrated the importance of accountability by creating a special objective for improved accountability and transparency under the Hurricane Mitch reconstruction program in Honduras. USAID promoted the transparent and accountable use of reconstruction funds by

- supporting the establishment of independent oversight mechanisms for Honduran government implementing agencies
- strengthening the capacity of the Honduran Controller General (the supreme audit authority)
- strengthening the monitoring capability of Honduran civil society
- financing external audits by the OIG or outside contractors
- fortifying internal USAID oversight capacity

- supporting accountability and transparency activities at the municipal level

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Political will in the partner country is also very important. A survey of government officials in 62 countries found that the example set by the leadership had a greater effect on reducing corruption than any other factor.⁵ The success of the reconstruction program in Honduras can be attributed in part to the strong desire by President Carlos Flores to avoid corruption. He supported early efforts to set up anticorruption mechanisms, and issued an executive decree that initiated the program's concurrent audits.⁶

It is helpful when the U.S. Government gives high visibility to accountability. In Bosnia, anticorruption was a top objective of the Office of the High Representative, designated by the Dayton Peace Accords in 1995 to oversee the transition. This office established an antifraud department. The USAID program was a cornerstone of anticorruption policy from the beginning. The GAO's 2002 report found no evidence that fraud or corruption had caused U.S. foreign assistance to be lost on a large scale.⁷

⁵ Daniel Kaufmann, "Corruption: The Facts," *Foreign Policy*, Summer 1997 <www.worldbank.org/wbi/governance/pubs/corrfacts.html>.

⁶ The U.S. Ambassador to Honduras reported that anticorruption was a common theme in discussions with President Flores about the reconstruction effort. Many observers believed that Flores was mindful of the example of Nicaraguan President Anastasio Somoza, who was overthrown in 1979. Many believe that a contributing factor to his overthrow was the widespread perception of corruption during relief and reconstruction efforts after an earthquake destroyed the capital city in 1972.

⁷ "Bosnia: Crime and Corruption Threaten Successful Implementation of the Dayton Peace Agreement," Testimony before the Committee on International Relations, House of Representatives, by Harold J. Johnson, Associate Director, International Relations and Trade Issues, National Security and International Affairs Division, GAO, July 19, 2000, Report no. GAO/T-NSIAD-00-219.

It is worth noting that USAID implemented virtually all of the Bosnia program through traditional project assistance. The relatively small amount of funds provided directly to the government (\$20–25 million) was given in tranches over three years and subject to concurrent audits. In contrast, the European Union reportedly lost hundreds of millions by providing funds directly to the government with only a very small country staff to oversee the program.

Informants representing different USAID country programs referred to a general perception among aid recipients that USAID—and the U.S. Government in general—tolerates less corruption than other donors, including the European Union and the World Bank. The United States should make an effort to reinforce this image: the reputation may help make U.S. Government resources less vulnerable. A recent survey of field missions by USAID’s Office of Democracy and Governance found that in some countries many perceive USAID as “more difficult to corrupt.” The survey found that USAID had a competitive advantage over other donors because of its transparent procurement procedures.

If not established in the initial assistance agreement, accountability will take a back seat to the political objectives that drive projects and programs.

3. Incorporate Accountability Mechanisms into Program Design

Accountability concerns should be elevated to a high priority when program and project objectives are being developed: this will go a long way toward avoiding problems. Accountability could be a fundamental element of bilateral assistance agreements. These agreements might establish such objectives as an independent audit authority, adoption of a common procurement system, and reinforcement of host country commitments to international anti-corruption measures.

“The [Hurricane Mitch] strategy is innovative in the sense that it is not strictly an audit or investigations strategy, but includes many innovative types of activities, aimed at prevention and deterrence, that we brought into our strategy from outside the audit and investigations traditions.”

Everett L. Mosley, Inspector General, and
Timothy E. Cox, Regional Inspector General,
Statement before the House Committee on Foreign Operations
San Salvador, March 21, 2001

If not established in the initial assistance agreement, accountability will take a back seat to the political objectives that drive projects and programs. For auditing and monitoring techniques to be effective, decisions about their application should be preceded by risk assessments and strong management support for accountability. Failure to set this foundation may cause considerable waste of auditing and monitoring resources. USAID officers believe that where there is a perception of high vulnerability to corruption, early involvement of the OIG contributed to the ultimate success of the accountability effort.

USAID missions have been resourceful in building financial accountability into programs. A good example is the concurrent audit. This is essentially a continuous audit process that produces reports on a quarterly basis, unlike the more common annual audit. Concurrent audits have proven very effective in high-risk situations. Audit results are provided in a timeframe that permits corrections before problems become entrenched. In addition, the routine presence of auditors serves as a deterrent. USAID successfully used concurrent auditing in Hurricane Mitch countries, Bosnia, Madagascar, and Mozambique. In programs and projects with high vulnerability to corruption, some form of continuous audit and monitoring oversight could be part of the accountability strategy.⁸

⁸ The stakeholders should agree beforehand to the idea of setting up a concurrent audit program.

Separating accountability from program management is another useful approach. For example, USAID South Africa separated partners with accountability and monitoring functions from those with substantive program or project management functions. This yielded a monitoring function free of program pressures and prejudices.

USAID also supports creation of supreme audit authorities and transparent, rules-based procurement systems. In Honduras, USAID programs helped create a new audit unit in the Controller General's Office that oversaw about half of USAID reconstruction funds. The Agency also supports parallel programs in reform of governance and rule of law, including reform of the justice sector, and administrative code reform that promotes transparency and freedom of information. A recent review of documentation compiled by the USAID Office of Democracy and Governance testified that many missions have successfully incorporated a broad range of anticorruption efforts across many sectors.

Other activities that may be incorporated into program design include training for implementing personnel in NGOs and government offices. Personnel are trained in the fundamentals of financial management, fraud awareness, and monitoring techniques. Since late 1999, the OIG has developed such training programs for USAID personnel and implementing partners, along with a fraud indicators handbook and a training video. Many USAID missions are building the capacity of governmental and nongovernmental partners to participate in overall accountability programs.

Outsourced accountability was another technique used in Honduras, where USAID hired U.S. auditing firms to provide technical assistance in financial management for the Honduran government.

Advantages of the Concurrent Audit

- Collects data as transactions are being processed
- Reduces possibility of undetected problems
- Finds problems when they are still small and easy to correct
- Avoids issue of disappearing audit trail
- Provides active deterrent effect

4. Dedicate Resources to Accountability

Accountability costs money and time. If it is to be a real management priority, appropriate resources should be dedicated to providing the auditing and monitoring services required for a meaningful accountability strategy. This includes assigning appropriate numbers of audit and monitoring staff to meet the specific challenges. Training programs to strengthen public and private institutions are also important. In a recent survey of 59 USAID country missions, the Office of Democracy and Governance found that over three-quarters viewed staffing and funding as one of the biggest constraints to anticorruption work.

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However, the cost of transparency and accountability does not appear to be excessive: it ranges from 1 to 3 percent of total program allocations. Of the \$621 million CACEDRF supplemental appropriation, Congress allocated \$5.5 million to help

USAID monitor the program, \$1.5 million to help the OIG provide close audit and investigative oversight, and an additional \$500,000 to the GAO. This amounted to about 1 percent of the total appropriation. In Honduras, with the largest allocation of reconstruction monies, about 3 percent was used for transparency and accountability (Table 1).

The estimate of 3 percent of total program costs should probably be considered a maximum.⁹ A bit

⁹ The OIG in USAID El Salvador estimates that audit contract costs typically run about 0.4 percent of the total program cost for USAID-contracted audits, and about 1.1 percent of total program cost for concurrent audits with quarterly reporting by the auditors. USAID officers who were extensively involved in the Honduras program confirmed that the audit function cost less than 1 percent of total program costs.

less than a third of the funds for transparency and accountability was obligated for audits. However, over half went to strengthening private and public oversight institutions. USAID supported technical assistance and training for government oversight offices. NGO activities to promote increased citizen awareness and public advocacy against corruption were also funded (Table 2).

In Bosnia-Herzegovina, extraordinary measures were taken to protect program funds. The percentage spent may have been higher than 3 percent of field program costs. At the height of activity, the mission employed some 200–300 people to implement the program. A local “gumshoe” corps was hired to

Table 1. Hurricane Reconstruction Program Obligations, FY 1999

Type of Activity	Obligations (\$ millions)	Percentage
Infrastructure (roads, bridges, water, sanitation, municipalities, and schools)	181.8	62
Housing, production credit, technical assistance, and policy reform	102.3	35
Transparency and accountability	8.3	3
Total	292.4	100

Source: Strategy and Support Office, USAID Honduras

Table 2. Transparency and Accountability Costs under the Honduras Hurricane Reconstruction Program

Type of Activity	Costs (\$ thousands)	Percentage
Technical assistance and training for independent donor-funded oversight mechanism (<i>Inspectoria de Proyectos</i>)	3,200	39
Technical assistance and training for the Controller General & NGO outreach	1,266	15
Audits (including concurrent audits) and evaluation	2,315	28
Management oversight	1,513	18
Total	8,294	100

Source: Strategy and Support Office, USAID Honduras

check on compliance of every grant, loan, and program. As one mission official said, “There were so many locks and safeguards put on that it had to be one of the most corruption-free programs.”

5. Ensure Donor Coordination

When donors cooperate in planning and delivering assistance, they can deliver a consistent and sustained message about corruption. Effective coordination permits donors to

- share experiences
- speak with one voice on matters of transparency and aid effectiveness
- avoid duplication in programming
- make it more difficult for recipients to play one donor off against another

In many countries, donor consultative groups are an important element of USAID anticorruption activities. One of the most successful examples of donor coordination on corruption occurred in Honduras. The United States and other countries formed the Donors Cooperative Group for the Reconstruction and Transformation of Central America. The group adopted a series of goals and principles known as the Stockholm Declaration, which set out strong anticorruption standards of transparency, good governance, and strengthened civil society.

The government of Honduras committed to the principles of the declaration. It pledged to carry out reconstruction using an approach that combined both transparency and good governance. The Stockholm Declaration was widely publicized throughout the country and remains significant in Honduran politics.

The donors established an independent donor oversight mechanism (*Inspectoria de Proyectos*) to oversee the operation of government agencies and protect reconstruction program funds. Led by USAID, donors also incorporated strong anticorruption and

transparency themes in Honduras’s Poverty Reduction Strategy Paper. This is a key planning document required under the Heavily Indebted Poor Countries debt reduction initiative.

A recent study by USAID’s Office of Democracy and Governance found that civil society programs constitute one of the largest Agency anticorruption programs.

Coordination among U.S. Government agencies is also an issue, since many agencies are now involved in providing foreign assistance. Additional vulnerability to corruption is created when several agencies address similar problems. The departments of State, Treasury, Justice, and—sometimes—Defense may join USAID as important players.

Besides USAID, 13 U.S. departments and agencies received disaster recovery funds for Honduras. Many of them had limited experience working overseas. From the outset, USAID sought to incorporate other agencies into its operational framework. It largely succeeded, despite some complaints about how long this took. However, the GAO found that “coordinating with and helping the other US departments and agencies develop their programs was burdensome and time consuming for the missions.”¹⁰

6. Use Civil Society and Public Outreach Wherever Possible

A recent study by USAID’s Office of Democracy and Governance found that civil society programs constitute one of the largest Agency anticorruption programs. USAID has long recognized the key role of civil society in creating and maintaining pressure for governmental reforms. The wide range of civil society programs supported by USAID include

- public awareness campaigns through media and civic education

¹⁰ GAO Report to Congressional Committees. “Foreign Assistance: disaster recovery program addressed intended purposes but USAID needs greater flexibility to improve its response capability.” July 2002.

- assistance to watchdog groups pressuring government to implement legislation promoting transparency, e.g., Freedom of Information Act
- assistance to advocacy groups to curb corruption, e.g., trade and business groups
- helping to establish and develop NGO coalitions
- encouraging community oversight of local government
- programs to promote a free and independent media

To promote active accountability partnerships, another useful tool is identifying international anticorruption agreements and reinforcing host country commitments to them.

With the Hurricane Mitch reconstruction program, USAID Honduras included a public awareness campaign that focused on anticorruption and mobilized civil society to demand accountability for the spending of reconstruction funds. This happened in a country without a history of organized demands for such accountability, and where no one had been jailed for misusing public funds. The campaign was designed to

- increase citizen awareness about the Honduran government's administration of public resources
- educate the public about the types of problems to watch out for
- provide instructions about what to do if and when corruption was identified

USAID also promoted the formation of a National Anticorruption Council, chaired by the Archbishop of Tegucigalpa. For the first time, Honduran NGOs could review details of the national budget in the local newspaper. The results of concurrent audits

were published on the internet, another first. Many observers note that acceptance of corruption has diminished. Now daily newspapers routinely and regularly report on matters involving corruption.

To promote active accountability partnerships, another useful tool is identifying international anticorruption agreements and reinforcing host country commitments to them. For example, many countries in Latin America have subscribed to the 1996 Inter-American Convention Against Corruption. Its provisions commit ratifying countries to develop mechanisms to prevent, detect, punish, and eradicate corruption, including the giving and receiving of bribes and transnational bribery. Governmental awareness of important international transparency indices, such as those tracked by Transparency International, could also be promoted.

Can the MCA Use USAID's Anticorruption Techniques?

The techniques and methods discussed here are not exhaustive, but they form the core of the financial accountability strategy that USAID has successfully employed in recent years to reduce corruption and mismanagement in its programs and projects. Many techniques are equally applicable to host country institutions and organizations seeking to account for their own resources, whether donated or generated from within.

There is a growing consensus among staff at USAID (including the OIG) that many of these techniques and methods are working. The OIG has noted the perception of a growing culture change at the Agency. Management is embracing accountability as a priority, and the OIG is being included in the accountability model. Some of this change is a byproduct of the overall success of accountability efforts, the CACEDRF model, and the growing awareness that accountability is fundamental to successful programs and projects—not an imposed irritant.

The key characteristics of the CADEDRF model were

- early risk assessment
- top priority given to accountability by the leadership
- incorporation of accountability mechanisms into program design (notably, the concurrent audit)
- a willingness to dedicate resources to accountability early on
- close donor coordination on the corruption issue
- initiation of civil society programs promoting corruption awareness

This successful experience may help to clarify an important role for USAID as the details of the MCA begin to emerge. In recent testimony before Congress, Alan Larson, Under Secretary of State for Economic, Business and Agriculture Affairs, and Andrew S. Natsios, Administrator of USAID, both indicated that the MCA would incorporate some kind of accountability mechanisms. Specifically, Larson said:

Developing countries will set their own priorities and identify their own greatest hurdles to development. They will do so by engaging their citizens, businesses, and government in an open debate, which will result in a proposal for MCA funding. This proposal will include objectives, a plan and timetable for achieving them, benchmarks for assessing progress and how results will be sustained at the end of the contract, delineation of the responsibilities of the MCA and the MCA country, the role of civil society, business and other donors, and *a plan for*

ensuring financial accountability for funds used [emphasis added].¹¹

The techniques and methods discussed here might be considered for inclusion in the MCA's country accountability plans and for nonproject assistance. In partner countries with weak institutions and high corruption risk, it is important to incorporate elements of an anticorruption strategy into the country partnership agreement or "contract." The contract between the partner country and the Millennium Challenge Corporation, like any bilateral assistance agreement, reflects the commitments agreed upon by the parties to fulfill the stated goal and purposes of the program and the outputs to be achieved. This agreement might also establish monitoring and evaluation procedures, which may include audit and inspection requirements.¹²

A typical MCA country assistance agreement between the U.S. Government and the partner government might therefore contain some or all of the following

- creation of a GAO-like supreme audit authority
- development of transparent, government-wide procurement regulations
- conduct of risk assessments of major organizations implementing the MCA program in the country (with the involvement of GAO or USAID)
- establishment of concurrent audits of major programs by an outside entity (with oversight)

¹¹ Testimony before the Senate Foreign Relations Committee, March 4, 2002.

¹² Other items often included in bilateral assistance agreements are exemption from local taxation; disbursement mechanisms; remedies, such as refund rights or default provisions; terminal dates for meeting certain conditions; provisions for amendment (such as exchange of formal letters); covenants (formal undertakings by the partner country); and other administrative arrangements.

- commitment to international anticorruption agreements such as the proposed African Union Convention Against Corruption
- introduction of a donor oversight committee for transparency
- support for an anticorruption public awareness program
- initiation of a training program for government officials in fraud awareness and anticorruption

MCA agreements might also specify the amount of funding allocated for transparency and accountability programs.

The techniques and methods discussed in this paper could help MCA meet accountability objectives. They have proven their worth in reducing corruption across the broad spectrum of development assistance programs and projects funded by USAID. Though none, by themselves, provide a panacea, USAID experience suggests that careful analysis and early application of particular methodologies—or a group of techniques and methods—may significantly reduce corruption in U.S. Government-sponsored assistance programs.

Acknowledgments

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